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--57. The information storage medium of claim 54, wherein the displacement of the second image relative to the first image is indicative of movement of a surface which moves relative to the sensing device.--

--58. The information storage medium of claim 54, wherein the first and second images comprise a speckle pattern.--

REMARKS

By this Amendment, claims 44-58 are added. Accordingly, claims 1-58 are pending in this application.

The Restriction Requirement asserts restriction is required between: Group I, comprising claims 1-32 and drawn to a method of estimating the displacement of a second image relative to a first image; and Group II, comprising claims 33-43, and drawn to a transducer readhead that measures displacement of the readhead relative to a surface. Applicants provisionally elect Group I, claims 1-32, with traverse. Applicants respectfully submit that at least claims 44-51 are linking claims which should be considered along with the claims of the elected group.

Particularly, claims 44-49 are related to claim 1 as product and process of use. Claims 44 and 46 recite substantially the identical subject matter recited in claim 1. Claims 45 and 47-49 depend from claims 44 and 46, respectively. Therefore, any process used by the product recited in claims 44-49 is within the scope of the process recited in claim 1. This includes the allegedly materially different products and processes asserted in the Office Action. Thus, the Office Action has not met the burden required in MPEP §806.05(h). Likewise, any product usable to perform the process recited in claims 1-32 is within the scope of the product recited in claims 44-49. Thus, claims 1 and 44-49 are not properly restrictable under MPEP §806.05(h). Accordingly, claims 44-49 should be examined with the elected claims 1-32.

Among claims 44-49, claims 46-49 are means plus function claims. Claims 50 and 51 recite structures disclosed in the specification as usable to perform the functions recited in claims 46-49, and especially claim 47. Therefore, a search for all of the subject matter recited in claims 44-49 necessarily encompasses the search for all of the claimed subject matter recited in claims 50-51. Therefore, there is no basis for insisting on restriction between subsets of claims 44-51, because there is no serious burden in conducting such a search. See MPEP §803.

Claims 50-51 and claims 33-43 are related as sub-combination and combination, respectively. The combination recited in claims 33-43 recites all of the features set forth in the sub-combination recited in claims 50 and 51. Therefore, as claims 33-43 and 50-51 are in an A/B_s-B_s relationship, claims 50-51 are not restrictable from claims 33-43 under MPEP §806.05(c). Therefore, claims 33-43 are also not restrictable from claims 44-49. Since claims 44-51 are not restrictable from claims 1-32 or claims 33-43, claims 44-51 link claims 33-43 to the elected claims 1-32 such that the restriction requirement should be withdrawn.

In addition, claims 52-58 recite an information storage medium with the features that generally correspond to those recited in claims 1-32, respectively. Thus, a search for the steps recited in claims 1-32 necessarily encompasses a search for the instructions for performing those steps recited in claims 52-58. Therefore, claims 52-58 should be examined with the elected claims 1-32.

It is also respectfully submitted that the subject matter of all claims 1-58 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and the examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must

examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

For at least the above reasons, withdrawal of the Restriction Requirement is respectfully requested.

Prompt examination and allowance of pending claims 1-58 is respectfully requested.

Respectfully submitted,



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